



Information physicians can use on:

OPEN PAYMENTS

(Physician Payments Sunshine Act)

What is Open Payments?

Open Payments is a national disclosure program created by the Affordable Care Act that promotes transparency and accountability in the health care industry. It increases public awareness of financial relationships between the health care industry (like medical device manufacturers and pharmaceutical companies) and physicians or teaching hospitals. The program collects and reports payments or transfers of value from the health care industry to physicians or teaching hospitals. These payments can be for many purposes, such as research, consulting, travel, and gifts. The Centers for Medicare & Medicaid Services (CMS) will collect this data annually, and make this data publicly available and searchable online at cms.gov/openpayments.

Why is this program important?

Collaboration among physicians, teaching hospitals, and health care manufacturing companies contributes to the design and delivery of many life-saving drugs and devices. However, sometimes these payments can also introduce conflicts of interest. Open Payments doesn't identify which financial relationships are beneficial or which may cause conflicts of interest. Instead, the program is designed to increase public awareness about these relationships and discourage payments and other transfers of value that might have inappropriate influence on research, education, standard setting, and most importantly, clinical decision making.

CMS is making this information available to the public to create transparency and allow interested stakeholders to analyze, monitor, and use the data. Physicians and teaching hospitals have an opportunity to review data reported about them prior to it being made public. It's important that you, as a physician, know about this program, what's reported about you, and how you can answer questions from your patients.

Which physicians and teaching hospitals are affected?

The physicians affected by the program include:

- Doctors of medicine and osteopathy
- Dental surgeons
- Dentists
- Licensed chiropractors
- Optometrists
- Podiatrists

Note: You'll still be affected even if you don't treat Medicare or Medicaid patients. Also, medical residents are excluded from the definition of physicians for the purpose of this program.

Affected teaching hospitals include institutions that received payments for:

- Indirect medical education (IME)
- Direct graduate medical education
- Psychiatric hospital IME

CMS will publish a list each year identifying the teaching hospitals that are affected.

What kinds of payments will be reported?

Drug and medical device manufacturers must report certain payments made to physicians and teaching hospitals. Examples include:

- Consulting fees
- Speaker fees
- Honoraria
- Gifts, like promotional gadgets, items useful in a medical practice, or vacations
- Entertainment, like tickets to a sporting event, concert, or theater show
- Food and beverage
- Travel and lodging
- Education, like textbooks and medical refresher courses
- Research activities, including enrolling patients in clinical trials
- Charitable contributions
- Royalties or licenses
- Current or prospective ownership or investment interest
- Grants, for example, to support education, operations, or meetings

Is there anything I need to do?

Prior to data publication (in June for future program years), it's important that you register with the Open Payments system at cms.gov/openpayments in order to review data that will be made public, resolve data disputes, and request data corrections.

You should also:

- Become familiar with Open Payments requirements and the information that will be reported about you.
- Keep track of your financial interactions with the health care industry. A free mobile application is available to help you track the payments you receive. See below for more information.
- Sign up at cms.gov/openpayments to get email updates about the Open Payments program, including events and educational opportunities.
- Work with drug and device manufacturers to make sure the information submitted about you is correct.
- Review the information manufacturers may submit on your behalf prior to public posting.
- Learn what to do if you disagree with the information that's submitted. During the data review period held each year prior to data publication, you'll be allowed to dispute information that you don't think is accurate or complete.

What resources are available to help me track required Open Payments reporting?

A free mobile application (Open Payments Mobile for Physicians) is available to help you track the payments you get from the health care industry so you can compare them with the information reported about you. The app:



- Can be downloaded at the Google Play™ app store or iOS Apple™ app store. Search for “Open Payments Mobile for Physicians.”
- Gives you a simple, easy-to-use tool to track transfers of value in real time on your own phone.
- Can also be used to share profile and transfer-of-value information between physician and industry apps.
- Is for personal information collection and serves as a storage depository only. **It doesn't interact with CMS systems, CMS contractors, and can't be used directly for data reporting to CMS or its contractors.**

Note: CMS won't check the accuracy of data stored in the app, and it isn't responsible for protecting data stored in the app. You have the sole responsibility for the accuracy and completeness of the data submitted to CMS about you by the health care industry under Open Payments. For help with the application, email OpenPayments@cms.hhs.gov.

Where can I get more information?

- Visit cms.gov/openpayments to get more information about Open Payments and the mobile application.
- Visit medscape.com for a continuing medical education activity that's accredited by the Accreditation Council for Continuing Medical Education. You'll learn more about the steps involved in collecting and reporting physician data, key dates for implementation, and actions you can take to verify your information. Email questions to OpenPayments@cms.hhs.gov. Help Desk support is available by calling 1-855-326-8366, Monday through Friday, from 7:30 a.m. - 6:30 p.m. (CT), excluding federal holidays.

